

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**MARK BOUTWELL and  
DAWN BOUTWELL**

**PLAINTIFF**

**v.**

**Cause No. 3:11-CV-689-CWR-LRA**

**TIME INSURANCE COMPANY d/b/a  
ASSURANT**

**DEFENDANT**

**ORDER**

Pending before the Court is Time Insurance Company's Motion to Strike Certain Portions of Plaintiffs' Amended Complaint filed on March 19, 2013. Docket No. 43. Plaintiff failed to file a response on or before April 5, 2013, the required due date. On September 30, 2013, on its own motion, the Court granted Plaintiffs an extension of up to seven days, or October 7, in which to file a response. As of this date, however, Plaintiffs have yet to respond.

The Court's Local Uniform Civil Rules state, “[i]f a party fails to respond to any motion, other than a dispositive motion, within the time allotted, the court may grant the motion as unopposed.” L.U.Civ.R. 7(b)(3)(E). *See also, Montgomery v. CitiMortgage, Inc.*, 2013 WL 3421987 (S.D. Miss. July 8, 2013) (granting Defendant's motion to strike as unopposed because the plaintiffs “failed to file their response or request a filing extension” by their due date.). Accordingly, pursuant to L.U.Civ.R. 7(b)(3)(E), Defendant Time Insurance Company's Motion to Strike Certain Portions of Plaintiffs' Amended Complaint is granted as unopposed.

**SO ORDERED**, this the 31st day of October, 2013.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE